

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

THE CALIFORNIA INSTITUTE OF  
TECHNOLOGY,

Plaintiff,

v.

HP INC.,

Defendant.

Civil Action No. 6:20-cv-01041-ADA

**DECLARATION OF BRENDA SHERMAN IN SUPPORT OF DEFENDANT’S  
OPPOSED MOTION FOR INTRA-DISTRICT TRANSFER OF VENUE**

I, Brenda Sherman, declare as follows:

1. I am employed as a Senior Litigation Paralegal by HP Inc. (“HP”). In the normal course of my employment, I am responsible for managing litigation discovery in state and federal actions for HP. My business address is 1501 Page Mill Road, Palo Alto, CA 94304. I have been employed by HP since 2009.

2. I submit this declaration in support of HP Inc.’s Motion for Intra-District Transfer to the Austin Division of the Western District of Texas.

3. I have been informed and understand that plaintiff The California Institute of Technology (“Caltech”) has filed suit in the Waco Division of the Western District of Texas. I understand, based on my review of the information available on the U.S. District Court for the Western District of Texas website (<https://www.txwd.uscourts.gov/court-information/office-locations>), that the Waco Division of the Western District of Texas includes the following counties: Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Leon, Limestone, McLennan, Milam,

Robertson, and Somervell.

4. HP does not maintain a place of business in any of these counties. HP has an established place of business located at 3800 Quick Hill Road, Suite 100, Austin, Texas 78728 and has been located there since 2013. HP currently employs more than 140 people in its Austin office.

5. I am not an engineer and do not have a technical background, but I generally understand based on reviewing Caltech's Amended Complaint that Caltech alleges that a certain aspect of the WiFi technology within various HP products – which the complaint describes as “LDPC encoders” – infringes five United States patents.

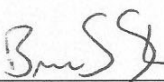
6. Leo Gerten, HP's Senior Director, Communication Technology, is the HP engineer who leads the team responsible for incorporating the chips that supply Wi-Fi functionality into the accused HP computer products. Mr. Gerten has worked for HP for more than thirteen years, first in Asia and, since 2016, in HP's Austin office. The team of project managers and engineers whom Mr. Gerten supervises are located around the world; none resides or works in the Waco Division. Mr. Gerten and his team are responsible for developing the technical specifications for the Wi-Fi functionality in the accused HP computer products and for selecting the chips to supply that functionality.

7. The configuration of HP's computer network, as well as Mr. Gerten's presence in Austin, will enable HP to conduct document collection from within its Austin office both for Mr. Gerten and any other employees or repositories from which HP needs to collect documents for possible production in this litigation.

8. HP has not identified any employees with responsibilities for the accused HP products who reside or work in the counties within the Waco Division.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief after reasonable investigation.

Executed on April 2, 2021.

  
Brenda Sherman